

847.304

or the value declared, the vendor will be specifically instructed to do so on the order, when a written order is used. If the order is an oral order, all copies of the purchase request will be annotated to show that insurance/declared value was specifically requested.

847.304 Determination of delivery terms.

847.304-1 General.

When alternative delivery terms are appropriate but the contracting officer elects to use only one in the invitation for bids, or request for proposals, he shall document the contract file to show his reasons for so doing.

847.305-70 Potential destinations known but quantities unknown.

When the VA National Acquisition Center contracts for decentralized procured items by all Department of Veterans Affairs installations, the evaluation of bids must follow specific procedures. To place each bid on an equal basis, even though specific quantities required by each hospital cannot be predetermined, an anticipated demand factor will be used in proportion to the number of hospital beds or patient workload. The clause prescribed in 852.247-70 shall be used in these instances.

[49 FR 12627, Mar. 29, 1984, as amended at 63 FR 69222, Dec. 16, 1998]

PART 849—TERMINATION OF CONTRACTS

Subpart 849.1—General Principles

Sec.

849.106 Fraud or other criminal conduct.

849.107 Audit of prime contract settlement proposals and subcontract settlements.

849.111 Review and approval of proposed settlements.

849.111-70 Settlement review boards.

849.111-71 Required review and approval.

849.111-72 Submission of information.

Subpart 849.4—Termination for Default

849.402 Termination of fixed-price contracts for default.

849.402-6 Repurchase against contractor's account.

AUTHORITY: 38 U.S.C. 501 and 40 U.S.C. 486(c).

48 CFR Ch. 8 (10-1-05 Edition)

SOURCE: 49 FR 12628, Mar. 29, 1984, unless otherwise noted.

Subpart 849.1—General Principles

849.106 Fraud or other criminal conduct.

When the circumstances set forth in FAR 49.106 are encountered, the contracting officer will immediately discontinue all negotiations. The contracting officer will submit all of the pertinent facts necessary to support his/her reasoning to the Deputy Assistant Secretary for Acquisition and Materiel Management (95), (or the Chief Facilities Management Officer (08) in the case of contracting officers from the Office of Facilities Management). The Deputy Assistant Secretary for Acquisition and Materiel Management (95), or the Chief Facilities Management Officer, Office of Facilities Management, will review the submission and fully develop the facts. If the evidence indicates fraud or other criminal conduct, the Deputy Assistant Secretary for Acquisition and Materiel Management or the Chief of Facilities Management Officer, Office of Facilities Management, will forward the submission with his/her recommendations, through channels (to include the General Counsel, if appropriate), to the Inspector General (51) for referral to the Department of Justice. The contracting officer will be advised by the Deputy Assistant Secretary for Acquisition and Materiel Management or the Chief Facilities Management Officer, Office of Facilities Management, as to any further action to be taken. Pending receipt of this advice, the matter will not be discussed with the contractor. No collection, recovery or other settlement action will be initiated while the matter is in the hands of the Department of Justice without first obtaining the concurrence of the U.S. Attorney concerned, through the Inspector General. If inquiry is made by the contractor, he/she will be advised only that the proposal has been forwarded to higher authority.

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